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SUBJECT: REELECTION BILL PASSES FINAL SENATE VOTE - THREE
STEPS REMAIN

Classified By: Political Counselor John Creamer
Reasons 1.4 (b and d)

SUMMARY

1. (C) The Senate approved a bill on May 19, that would modify the constitution to allow the 2010 reelection of President Uribe in the fourth, and final, vote on the measure in Congress. The House version, which would allow for reelection only in 2014, and the Senate version will need to be reconciled in conference committee. House President German Varon told us he will try to block the 2010 version, but most observers expect the Senate version to eventually prevail. The measure would then move to the Constitutional Court for review, and then to a referendum. Constitutional Court Magistrate Mauricio Gonzalez implied the Court would approve the bill in time to allow for a referendum in November. Uribe maintains a solid approval rating of 71%, but signs of vulnerability have emerged, and approval of his handling of the economy, unemployment, and corruption have slipped. End summary.

REELECTION BILL PASSES FINAL SENATE VOTE

2. (C) The bill that would change the Colombian Constitution to allow President Alvaro Uribe to run for a third term in 2010 passed its fourth and final vote by a 62-5 margin in the Senate on May 19. Senate President Hernan Andrade told us the vote was originally set for May 4, and then for May 13, but the Senate failed to reach quorum. Andrade told us that the recent resignations of GOC coalition senators as a result of the parapolitical scandal and pressure from six Uribe coalition senators looking for bureaucratic perks led to the delays.

NEXT STEP: RECONCILIATION

3. (C) The Senate bill will need to be reconciled with the House version, which only allows for reelection in 2014, in conference committee. House President and Cambio Radical Party member German Varon opposes immediate reelection, and told us he will name members to the conference committee who are against the 2010 reelection. U Party President Luis Carlos Restrepo announced that he will try to have Varon recused from the reconciliation process by the House Ethics Committee for violating his "neutrality." Varon said his recusal would be illegal and immediately challenged in court.

¶4. (C) Andrade and presidential advisor Jose Obdulio Gaviria told us that Varon would be "committing political suicide" if he tries to block the measure. Still, Varon will leave the House presidency on June 20, and a new president more amenable to immediate reelection is expected to be named for the next Congressional session starting July 20. Hence, the Senate version will likely move ahead in July at the latest.

COURT REVIEW AND REFERENDUM

¶5. (C) Once the bill is reconciled in House-Senate conference, the reelection measure will move to the Constitutional Court for approval, and then to a popular referendum. Constitutional Court Magistrate and former Uribe legal advisor Mauricio Gonzalez told us the timing for reconciliation, Court approval, and a vote would be tight, but said the GOC is still on schedule to hold the referendum by mid-to-late November. Any later than that would run afoul of the Law of Guarantees, which requires a sitting president to declare his intentions six months before the presidential election. The Court will need approximately 90 days to make its ruling.

¶6. (C) Gonzalez said the Court would be hard-pressed to settle the 2010 vs 2014 issue if it remains unresolved in Congress, but he did not rule out a Court decision on this issue. He concluded that the Court would not want to incur the political cost of delaying a decision until a referendum was no longer viable. If approved by the Court, the referendum would require a majority vote with a minimum 25% turnout (7.2 million voters) to pass.

OPPOSITION PLANS ABSTENTION CAMPAIGN

¶7. (U) The opposition Liberal and Polo Parties plan to launch a campaign to encourage abstention in the referendum, in the hopes of killing the reelection effort through a lower than required turnout. Liberal Party Chief and former-President Cesar Gaviria told the media after the Senate vote that reelection would be "inconvenient, unconstitutional, and illegal." Far-left Polo Party President Carlos Gaviria said reelection could lead to a "dictatorship" in Colombia.

URIBE STRONG IN POLLS, BUT VULNERABLE

¶8. (U) Uribe remains popular, with approval ratings in the low-70s. Still, vulnerabilities have recently emerged due to a slowing economy, rising unemployment, and several corruption scandals. A May Gallup poll showed Uribe with a 71% job approval rating, down from the July (post-Operation Checkmate) high of 86%. Moreover, for the first time since 2003--and for only the second time in his presidency--a narrow majority of 49%-48% disapproved of Uribe's management of the economy. Sixty-nine percent disapproved of Uribe's handling of unemployment. Approval of Uribe's handling of corruption since July also plummeted from 77% to 51%. Despite the difficulties, U Party President Luis Carlos Restrepo and Jose Obdulio Gaviria remain upbeat that Uribe will be able to mobilize the votes needed to pass the reelection referendum.

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